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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,739	12/19/2001	Bartholomeus Johannes Van Rijnsoever	2069.048US1	4464

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SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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08/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/024,739

Applicant(s)

VAN RIJNSOEVER ET AL.

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-12 and 15-25 is/are rejected.
- 7) ☐ Claim(s) 5 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/13/2007 has been entered.

Response to Arguments

2. The Applicant's arguments filed on 7/13/2007 are not persuasive. As Lotspiech(US Patent 6609116 B1) discloses the same key block that is transmitted to all receivers/players, and further the select receiver picking from the key matrix for specific key see Col 4 Ln 49-55. And further the key may be overlapping with other players see Col 4 Ln 58-63.
3. The Applicant's second argument regarding the lack of encryption being disclosed is also not persuasive. As Lotspiech discloses the encryption of key matrix see Fig. 3 item 40. And further, the key matrix is used for decryption of matrix see Fig. 9 item 76.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

5. Claims 1-4, 7-12, 15-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,712, 800 to Aucsmith in view of U.S. Patent 6,026,165 to Marino et al. (hereinafter Marino) and further in view of US Patent 6609116 to Lotspiech.
6. Regarding Claim 1, 25, Aucsmith discloses the transmission system for providing conditional access coupled via network including an transmitter transmitting to all receivers same data encrypted under control of same key see Fig. 3 item G & Col 6 Ln 55-Col 7 Ln 14 and . And further Aucsmith discloses the receivers receiving the key block and encrypted data see Col 9 Ln 35-62. Aucsmith also discloses the first and second decryptor for decrypting data by master key and key specific to authorized devices(private key and prime number) see Fig. 6 item 515, 520, 530 & Col 10 Ln 48- Col 11 Ln 25. But, Aucsmith does not disclose the transmitter transmitting to receivers key block containing device key and some entries containing authorization key encrypted with the device key. However, Marino discloses the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the device key see Fig. 3 item 30, Fig. 4 item (B) & Col 1 Ln 63-66 & Col 9 Ln 49-58. It would be obvious to one having ordinary skill in the art at the time of the invention to include the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the

device key in the invention of Aucsmith in order to have an secure system whereby only authorized and selected receiver can decrypt the messages in as taught in Marino see Col 7 Ln 57-65. Furthermore, Aucsmith nor Marino explicitly disclose an set of keys for each receiver. This deficiency is remedied by Lotspiech, who discloses an play-recorder having number of device keys assigned to each receiver see Col 4 Ln 51-55. It would be obvious to one having ordinary skill in the art at the time of the invention to include having number of device keys assigned to each receiver in the invention of Aucsmith in order to make revoking/re-enabling of key easier as taught in Lotspiech see Abstract.

7. Regarding Claim 2, 10, 22, Aucsmith discloses the set of device keys specific to receivers being unique to the receiver see Col 12 Ln 8-24.
8. Regarding Claim 4, 12, Aucsmith discloses the re-enabling of reception of previously disabled reception by changing key and associated device keys see Col 13 Ln 30-49.
9. Regarding Claim 3, 11, Aucsmith discloses the disabling of decryptors see Col 11 Ln 26-32; and further of disabling of reception see Col 11 Ln 44-49 & Fig. 5 item 525 & replacement(renewing) and revocation of keys see Col 12 Ln 13-38.
10. Regarding Claim 6, 14, Aucsmith discloses the broadcasting in real time see Col 6 Ln 55-64.

11. Regarding Claim 7, Aucsmith does not disclose the transmitter transmitting to receivers key block containing device key and some entries containing authorization key encrypted with the device key. However, Marino discloses the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the device key see Fig. 3 item 30, Fig. 4 item (B) & Col 1 Ln 63-66 & Col 9 Ln 49-58. It would be obvious to one having ordinary skill in the art at the time of the invention to include the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the device key in the invention of Aucsmith in order to have an secure system whereby only authorized and selected receiver can decrypt the messages in as taught in Marino see Col 7 Ln 57-65.

12. Regarding Claim 8, 16, Aucsmith discloses the receiving of key block and encrypted data see Col 10 Ln 52-61 & Col 10 Ln 62-66; first and second decryptors for decrypting using master key and authorized keys specific to receivers(private key and prime) see Fig. 6 item 515, 520, 530 & Col 10 Ln 48- Col 11 Ln 25.

13. Regarding Claim 9, 15, 21, Aucsmith discloses the transmitter and plurality of receivers coupled via network see Fig. 3 item G; transmitter transmitting data

encrypted under the master key and private key see Col 10 Ln 48-61; receiver for decrypting data using master key and authorized device key(private key and prime) see Fig. 6 item 515, 520, 530 & Col 10 Ln 48- Col 11 Ln 25. Aucsmith does not disclose the transmitter transmitting to receivers key block containing device key and some entries containing authorization key encrypted with the device key. However, Marino discloses the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the device key see Fig. 3 item 30, Fig. 4 item (B) & Col 1 Ln 63-66 & Col 9 Ln 49-58. It would be obvious to one having ordinary skill in the art at the time of the invention to include the transmitter broadcasting to receivers key block containing device key and some entries containing authorization key encrypted with the device key in the invention of Aucsmith in order to have an secure system whereby only authorized and selected receiver can decrypt the messages in as taught in Marino see Col 7 Ln 57-65. Furthermore, Aucsmith nor Marino explicitly disclose an set of keys for each receiver. This deficiency is remedied by Lotspiech, who discloses an play-recorder having number of device keys assigned to each receiver see Col 4 Ln 51-55. It would be obvious to one having ordinary skill in the art at the time of the invention to include having number of device keys assigned to each receiver in the invention of Aucsmith in order to make revoking/re-enabling of key easier as taught in Lotspiech see Abstract.

14. Regarding Claim 17, 19, Aucsmith discloses the key block corresponding to a subset of different device keys see Col 10 Ln 26-47.

15. Regarding Claim 18, 20, Aucsmith discloses the receivers using first decryptor and key block to retrieve authorization key see Fig. 6 item 510, 515, 530.

16. Claims 3-4, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,712, 800 to Aucsmith in view of U.S. Patent 6,026,165 to Marino et al. (hereinafter Marino) and further in view of US Patent 6609116 to Lotspiech and further in view of U.S. Patent 6118873 to Lotspiech.

17. Regarding Claim 3-4, 11-12, Aucsmith nor Marino discloses the revoking and re-enabling of keys. However, Lotspiech discloses the revoking and renewing of keys see Col 6 Ln 13-28 & Col 6 Ln 42-65. It would be obvious to one having ordinary skill in the art at the time of the invention to include the revoking and renewing of keys in the invention of Aucsmith in order to have versatile system.

18. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,712, 800 to Aucsmith in view of U.S. Patent 6,026,165 to Marino et al. (hereinafter Marino) and further in view of US Patent 6609116 to Lotspiech and further in view of U.S. Patent 6,542,610 B2 to Traw et al. (hereinafter Traw).

19. Regarding Claim 23 and 24, Aucsmith nor Marino disclose the shared key between receivers. However, Traw discloses the shared key between receivers see Col 7 Ln 25-33 & Fig. 8 item 806(A, B, C) acts both receivers and transmitters). It would be obvious to one having ordinary skill in the art at the time of the invention to include the shared key between receivers in the invention of Aucsmith in order to make authentication possible as taught in Traw see Col 7 Ln 16-24.

Allowable Subject Matter

20. Claims 5 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

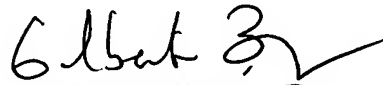
Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VP/
Venkat Perungavoor
Examiner
Art Unit 2132
August 17, 2007


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100